Image

1631

PATENT

Attorney Docket No. A-71138-1/RFT/RMS/RMK Dorsey File No. 468488-00214

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MAYO et al.

Serial No.:

10/074,679

Filing Date:

February 11, 2002

For:

Method for the Generation of Proteins

with New Enzymatic Function

Examiner:

Borin, Michael L.

Art Unit:

1631

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying substitute for form PTO-1449. Copies of these references are enclosed.

None of the foregoing references is believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application.

Serial No.:

10/074,679

Filing Date:

February 11, 2002

Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 468488-00214 (A-71138-1/RFT/RMS/RMK)).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: 3

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Filed under 37 C.F.R. § 1.34(a)

Customer Number: 32940

Attachments:

Form PTO/SB/8A-B, Substitute for Form PTO-1449

4 cited references

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Substitute for form 1449A/PTO (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

| Complete if Known | | | | | |
|------------------------|-----------------------|--|--|--|--|
| Application Number | 10/074,679 | | | | |
| Filing Date | February 11, 2002 | | | | |
| First Named Inventor | MAYO et al. | | | | |
| Art Unit | 1631 | | | | |
| Examiner Name | Borin, Michael L. | | | | |
| Attorney Docket Number | A-71138-1/RFT/RMS/RMK | | | | |
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| | U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|------------------------------------------------------------------|--------------------------------|-------------------------------------------------|------------------------------------------------------------------------------|--|
| Examiner Initials* | Cite No.1 | U.S. Patent Document Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| | A1 | 6,708,120 B1 | 03-16-2004 | Mayo et al. | | |
| | A2 | 2004/0043429 A1 | 03-04-2004 | Dahiyat et al. | | |
| | A3 | 2004/0043430 A1 | 03-04-2004 | Dahiyat et al. | | |
| | A4 | | | | | |
| | A5 | | | | | |
| | A6 | | | | | |
| | A7 | | , , | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|----|
| Examiner Initials* | Cite No. | Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (<i>if</i> known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T⁵ |
| | B1 | | | | | |
| | B2 | | | | | |
| | В3 | | | | | |
| | B4 | | | | | |
| | B5 | | | | AN ALL | |
| | B6 | | | | | |
| | B7 | | | | | |

| NON PATENT LITERATURE DOCUMENTS | | | | | |
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| Examiner Cite Initials* No.1 | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | |
| | C1 | KLEMBA, M., et al., "Novel metal-binding proteins by design", Natural Structural Biology, May 1995, 2 (5):368-373. | | | |
| | C2 | | | | |
| | C3 | | | | |
| | C4 | | | | |
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| | C6 | | 1 | | |

| Examiner Signature | Date Considered | |
|-----------------------|--------------------|--|

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.